HIGH COURT OF UTARANCHAL AT NAINITAL

Writ Petition No. 4147 (MS) of 2001
(Old No. 2383/1988)

Rakesh Kumar .... Petitioner

Vs

IVth Additional District
Judge, Nainital and others. .... Respondents

Dated:29-9-2004

Hon'ble Rajesh Tandon J.

File has been transferred from Allahabad High Court.

None appears from the parties.

By the impugned order the premises have been allotted, the revision was filed which has been dismissed. The release application of the landlord was rejected on 4-7-1985 and the premises were allotted on 5-7-1985. The release application has been rejected without giving any opportunity to the petitioner to adduce the evidence and the accommodation was allotted in favour of the opposite party.

A perusal of the record shows that the release application as well as the allotment application both were disposed of.

Liberty is given to the petitioner to file a fresh application before the Rent Control and Eviction Officer for release of the premises and the same shall be disposed of in accordance with law.

Subject to the aforesaid observation, the writ petition is dismissed. No order as to costs.

Dated:- 29-9-2004 *(RAJESH TANDON J.)*

M.K.